

1 BILL NO. Z-81-09- 09

2 ZONING MAP ORDINANCE NO. Z- fresh

3  
4 AN ORDINANCE amending the City of  
5 Fort Wayne Zoning Map No. M-26.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
7 FORT WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is hereby  
9 designated an M-1 District under the terms of Chapter 33, The  
10 Code of the City of Fort Wayne, Indiana of 1974:

11 Lot #23 Fernhill Place Addition,  
12  
13 and the symbols of the City of Fort Wayne Zoning Map No. M-26,  
14 referred to therein, established by Section 33-11 of said  
15 Chapter are hereby changed accordingly.

16 SECTION 2. That this Ordinance shall be effective upon  
17 passage, approval by the Mayor and legal publication thereof.

18  
19 Mark E. Gindanta  
20 COUNCILMAN

21 APPROVED AS TO FORM AND  
22 LEGALITY SEPTEMBER 4, 1981.

23 Bruce O. Boxberger  
24 BRUCE O. BOXBERGER, CITY ATTORNEY  
25  
26  
27  
28  
29  
30  
31  
32

Read the first time in full and on motion by Y. J. Jantz, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee Recreation, (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 5-8-81

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Y. J. Jantz, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>3</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	_____	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-10-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
WINFIELD C. MOSES, JR.  
MAYOR

Nov 10

BILL NO. Z-81-09-09

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. M-26

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO NOT PASS.

MARK E. GIAQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

*Mark E. Giaquinta*  
*Samuel J. Talarico*  
*Vivian G. Schmidt*  
*J. Stier*

CONCURRED IN

DATE 11-10-81 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 October 1981

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held October 26, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-09-09
2. From RA to M-1
3. Intended Use: Not Given.
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

REASON: This petition is spot zoning. The rezoning of this isolated parcel would not be in the best interest of the city or the abutting residential property owners.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

*Gary F. Baeten*  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 8, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-09-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,


WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1981;


NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 26, 1981.

Certified and signed this  
30th day of October 1981.

  
Dennis J. Grotzian  
Secretary



REZONING

# RECEIPT

Date August 13 1981

9406

Received From John Sabini

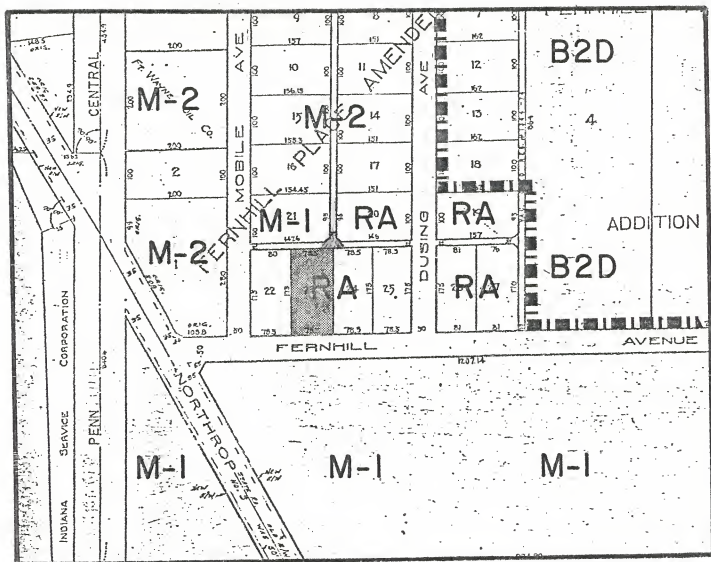
Address 111 Fernhill

Sixty Dollars <sup>00</sup>/<sub>100</sub> Dollars \$ 50.00

For Rezoning R - M1 District  
Same Address

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	570911	
BALANCE DUE			MONEY ORDER		

By Kim Zpuelet



 ZONING RECLASSIFICATION FROM AN RA TO A M-1 DISTRICT.

Z-81-09-09

MAP NO. M-26

BY G. R. LAX

8-18-81



PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

I/We Mr & Mrs John Fabini

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-H District to a/an M-1 District the property described as follows:

111 Fernhill Ft Wayne Ind

(Legal Description) If additional space is needed, use reverse side.

Fernhill Place ADD LOT 23. Washington township

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

LAMAR STOLLER  
(Name)

111 FERNHILL  
(Address)

Lamar Stoller  
(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

D. Reilly  
(Name)

2620 Terrace Rd 46805  
(Address & Zip Code)

486 2471  
483 6504  
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



Legal Description of property to be rezoned.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Owners of Property

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

5409

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-81-09-09

DEPARTMENT REQUESTING ORDINANCE Long Range Planning - CD&P

SYNOPSIS OF ORDINANCE Lot #23 Fernhill Place Addition more commonly known  
as 111 Fernhill Avenue.

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential. Property  
will become M-1 - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_